

# COVID-19 Compensatory Services

Elizabeth McIntyre  
Greater Boston Legal Services  
617-603-1659  
[emcintyre@gbls.org](mailto:emcintyre@gbls.org)

# Topics

- Why we have CCS
- What CCS meetings should look like
- What kinds of CCS services you can advocate for
- How to prepare for your CCS meeting
- What about...?

# Why We Have CCS

- CCS is compensatory education with a pandemic-flavored twist
- Compensatory education: “remediate the denial of . . . services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child.”
- CCS: “Services that a student’s IEP Team determines are needed to remedy a student’s skill or knowledge loss or lack of effective progress that resulted from delayed, interrupted, suspended, or inaccessible IEP services because of the emergency suspension of in-person education related to the COVID-19 pandemic.”

# CCS Meeting Structure

- Special education services not offered or inaccessible
  - Were there services in your child’s IEP that BPS did not offer?
  - Were there services in your child’s IEP that BPS *did* offer but your child could not access them?
- Did your child demonstrate “significant regression in skills?”
- Did your child “fail to make effective progress” towards their IEP goals *or* the general curriculum?

# What do CCS services look like?

- CCS services should be *individualized*, to really help your specific student with their specific needs
- For example, you could ask for:
  - Placement change
  - Extra services already in your student's IEP
  - New services your student now needs
  - After-school help
  - Special education support after age 22
  - 1:1 or small group support
- Boston is offering some options to many families, but don't let those limit what you ask for

# How to Prepare for a CCS Meeting: We're Making Lists!

- Services not available or inaccessible
  - Look at your child's service grid - were those services offered to your child? How often? Did they miss any?
  - Ask the school for a log of all services provided March - today
  - Make a list: write down each service that your child missed, how often your child was supposed to get that service, and your best guess of the time frame that your child did *not* get that service

# How to Prepare for a CCS Meeting: List 2

- Regression: (I hate this word)
  - Look at your child's goals section of the IEP. It should describe what your child could do when the IEP was written. If you have a new IEP, go back and look at the IEP that was written before March 2020.
  - Make a list of all the things your child's IEP said they could do back in March 2020. Can they do those things now?
  - Think back to February 2020. Are there things that were easy for your child that are harder now? (Fighting with siblings? Reading before bed?) Add those things to your list.
  - Does your child have any outside providers? Ask them if they have ideas about things your child could do in February 2020 and struggles with more now. Add those to your list!

# How to Prepare for a CCS Meeting:

## List 3

- Not making progress towards IEP goals or general curriculum
  - Look at your child's special education progress reports from March 2020. Do they say your child is making progress? If so, do you agree/disagree?
  - Look at your child's report cards, grades, or assessments from February 2020 - present. Do they show progress?
  - Show your child's outside provider your child's IEP goals. Do they have opinions about whether your child has made progress?
  - Do you have any recent evaluations? Compare those evaluations to an evaluation pre-February 2020.
  - Think about each goal: has your child made progress?



# How to Prepare for a CCS Meeting: Putting the lists together!

- List 1: Services not offered or inaccessible
  - all of the services your child should have received but either were not offered or were inaccessible
  - the timeframe that your child did not receive the services
- List 2: Regression
  - List of skills your child could do in Feb 2020 but cannot do now (using IEP, your own experience, outside providers' experience)
- List 3: No progress
  - List of goals (math goal, self-reg goal, etc.) and whether your child has made progress towards them (using progress reports, report cards, your own experience, outside providers' experience)

# How to Prepare for a CCS Meeting: The Last List

- Write down what you want your child to get. Think about what will really help your child recover from what they have lost during the pandemic.
- Remember, these CCS could include services like:
  - Placement change
  - Extra services already in your student's IEP
  - New services your student now needs
  - After-school help
  - Special education support after age 22
  - 1:1 or small group support

# What about...?

- When should a CCS meeting happen?
  - HIPP students: before 12/15/2020. No deadline for non-HIPP kids, just “as soon as practicable.”
- What about if I’m asked to sign a waiver?
  - You shouldn’t have to sign any waivers to get CCS services.
- Can I get in-person CCS services?
  - Yes. If your student needs in-person CCS, ask for in-person.
- What about if my school says I can only get one of the options BPS is providing (extended ESY, after-school learning, February/April vacation academies)?
  - They’re wrong! Call GBLS.

# What about...?

- What is the difference between new IEP services and CCS?
  - CCS are temporary services to help kids recover what they lost during the pandemic. If your child now needs a new service on a long term basis, you might want to ask to amend their IEP rather than getting it as CCS.
- My school mentioned general education recovery support. What is that?
  - Many students - maybe all! - will need help of all kinds recovering from this devastating pandemic. General education recovery support refers to services that the district is offering *all kids*.
  - There may be some students with disabilities who only need this general education recovery support to help them.

# What about...?

- Is CCS to compensate students for *all* remote learning-related regression, or just for the period March-June 2020?
  - BPS is sometimes saying just March - June 2020, but GBLS thinks this is wrong.
  - State guidance defines CCS as:
    - “Services that a student’s IEP Team determines are needed to remedy a student’s skill or knowledge loss or lack of effective progress that resulted from delayed, interrupted, suspended, or inaccessible IEP services because of the emergency suspension of in-person education related to the COVID-19 pandemic.”
  - Our advice is to advocate for CCS to compensate your child for all remote learning, and call GBLS if that doesn’t work.

# When Schools and Families Disagree

- Bureau of Special Education Appeals
  - Mediation: 781-397-4750
  - Due Process Hearing
- Problem Resolution System
  - All kinds of education-related complaints
  - [File online here](#)

# When to Call for Help

- First, try:
  - Ask for an IEP meeting and at the meeting, ask for what you want
  - Follow-up: put your ask in writing
  - Request school records
- What we can do:
  - Advice only
  - Limited representation
  - Full representation
- Call, email, or text us.

# Questions?

Elizabeth McIntyre

Direct Line: 617-603-1659

Text/Call: 617-855-8560

[emcintyre@gbls.org](mailto:emcintyre@gbls.org)